

Bedford Hills, New York
December 4, 2012

The first regular meeting for the month of December of the Town Board of the Town of Bedford was held on December 4, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00pm by Supervisor Roberts

Present:

Lee V. A. Roberts	: Supervisor
Peter Chryssos	: Councilman
Francis T. Corcoran	: Councilman
Chris Burdick	: Councilman
David Gabrielson	: Councilman
Lisbeth Fumagalli	: Town Clerk
Joel H. Sachs	: Town Attorney
Jeffrey Osterman	: Director of Planning
William Hayes	: Chief of Police
Edward Ritter	: Town Comptroller
Amy Pectol	: Receiver of Taxes
Jeffrey Osterman	: Director of Planning
Joan Gallagher	: Director of Personnel
William Heidepriem	: Superintendent of Recreation & Parks
Kevin Winn	: Commissioner of Public Works

There were fourteen (14) residents/observers present.

APPROVAL OF CLAIMS

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

	2012
General Fund	\$ 51,499.41
Highway Fund	730.00
Consolidated Water District	1,566.36
Energy	28,498.71
Special Districts:	
Bedford Village Memorial Park	1,372.68
Bedford Hills Memorial Park	1,988.47
Katonah Memorial Park	4,946.72
Capital Projects	<u>346,163.10</u>
	\$ 432,765.45

DEPARTMENTS

1. Bid award recommendation for new electrical equipment for the filtration/mechanical rooms at the three pool facilities.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby award the contract for new electrical equipment for the filtration/mechanical rooms at the three (3) pool facilities with alternates 1 & 2 in the amount of \$125,300.00 to the lowest most responsible bidder Filingeri Electric, as per the memorandum dated November 28, 2012 from William Heidepriem, Superintendent of Recreation and Parks.

2. Request to declare emergency and award storm debris processing to Westwood Organic Recycling LLC.

On a motion by Mr. Corcoran, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby declare a public emergency and approve the second (2nd) amendment to the contract with Westwood Organic to process and remove the additional organic waste resulting from Hurricane Sandy at a cost to the Town of Bedford of \$166,250.00 with logs over 5” in diameter to be picked up and processed by the New York State Department of Transportation as per the contract arrangement with that agency, and some costs may be reimbursed by the Federal Emergency Management Agency (FEMA), and it is further

RESOLVED that the Town Board does hereby extend the period for which Westwood Organic is permitted to sell material from the Beaver Dam site to third parties through July 1, 2014, as per the memorandum dated November 30, 2012 from Kevin Winn, Commissioner of Public Works.

3. Approval of 2013 Holiday Schedule.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the 2013 Holiday Schedule as follows, as per the memorandum dated November 26, 2012 from Joan Gallagher, Director of Personnel:

2013 Town of Bedford Office Holiday Schedule

Tuesday, January 1 st	New Year's Day
Monday, January 21 st	Birthday of Dr. Martin Luther King, Jr.
Monday, February 18 th	President's Day
Friday, March 29 th	Good Friday (Easter Holiday)
Monday, May 27 th	Memorial Day
Thursday, July 4 th	Independence Day
Friday, July 5 th	Floating Holiday Observed
Monday, September 2 nd	Labor Day
Monday, October 14 th	Columbus Day
Tuesday, November 5 th	Election Day
Monday, November 11 th	Veterans' Day
Thursday, November 28 th	Thanksgiving Day
Friday, November 29 th	Day After Thanksgiving
Wednesday, December 25 th	Christmas Day

4. Approve recommendation of purchase of two electric cars at the lowest reasonable quote.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the purchase of two (2) electric Nissan Leaf cars, to be purchased with funds from a grant from the New York Power Authority, in order to reduce energy costs, said cars to be used for parking enforcement, at a cost of \$36,497.50 each, as per the memorandum dated December 3, 2012 from William Hayes, Chief of Police; and

IT IS FURTHER RESOLVED that due to the time constraints relative to the grant, there was not enough time to go out to bid for the purchase of the cars and three (3) quotes were

obtained from car dealers, with Curry Nissan providing the lowest quote for the purchase of the two (2) Nissan Leaf electric cars.

PERSONNEL

1. Don Coe's letter of resignation from the Planning Board.

On a motion by Mr. Chryssos, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby accept the resignation of Donald J. Coe from the Planning Board after almost 40 years of service to the Town of Bedford, effective December 30, 2012, as per Dr. Coe's letter dated November 28, 2012.

2. Retirement Notification – Sgt. Anthony T. Frasca, Jr.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby accept the notification of retirement of Sergeant Anthony T. Frasca, Jr. after over twenty (20) years of service to the Town of Bedford, effective December 28, 2012 as per the memorandum dated November 26, 2012 from Joan Gallagher, Director of Personnel.

PLEASE NOTE:

The effective date on Mr. Frasca's retirement has been changed to December 29, 2012, based on a 12/4/12 letter from the NYS&L retirement system.

3. Approve hiring Stephen A. Rivera for the position of Parking Enforcement Officer (part-time).

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the hiring of Stephen A. Rivera for the position of Part-Time Parking Enforcement Officer in the Town of Bedford Police Department, effective December 10, 2012 at an hourly rate of \$15.00 per hour as per the memorandum dated November 26, 2012 from Joan Gallagher, Director of Personnel.

4. Approve promotion of P.O. Andrew Bellantone to Police Sergeant.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the promotion of Police Officer Andrew Bellantone to the rank of Sergeant, in the Town of Bedford Police Department, effective January 1, 2013, to fill the vacancy created by the promotion of Melvin Padilla, from Eligible List #79-617, at an annual salary of \$106,477.00 as per the memorandum dated November 28, 2012 from Joan Gallagher, Director of Personnel.

5. Approve reappointment of Betsy Smith and Wayne Grossman to the Recreation and Parks Advisory Committee.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick

Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the reappointment of Betsy Smith (Katonah) and Wayne Grossman (Bedford Hills) to the Recreation and Parks Advisory Committee for a three (3) year term, said term to expire December 21, 2015, as per the memorandum dated November 21, 2012 from Brian McCabe, Chairman, Recreation and Parks Advisory Committee.

NEW BUSINESS

1. Discussion regarding extinguishing easement – 73 Haines Road.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board wishes to discuss extinguishing an easement with a property owner at 73 Haines Road in Bedford Hills, in an executive session to be conducted at the conclusion of the regular meeting.

2. Set Joint Meeting with Planning and Town Boards regarding Stepping Stones.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby set a joint meeting with the Planning Board regarding Stepping Stones for Tuesday, December 18, 2012 at 7:00pm at the Town House, 321 Bedford Road, Bedford Hills.

3. Set Work Sessions – Zoning Board of Appeals candidate interviews.

On a motion by Mr. Burdick, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby set an executive session to interview candidates for the opening on the Zoning Board of Appeals for Monday, December 10, 2012 at 7:30 pm at the Town House, 321 Bedford Road, Bedford Hills.

4. Executive Session - Litigation.

On a motion by Mrs. Roberts, seconded by Mr. Corcoran, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board shall discuss a matter of litigation in an executive session to be conducted at the conclusion of the regular meeting.

There being no further discussion, the Town Board adjourned to executive session at 8:55 pm.

Lisbeth Fumagalli, Town Clerk

Minutes of Executive Session -Town Board of the Town of Bedford - December 4, 2012

At approximately 9:00 p.m. the Town Board voted to go into Executive Session to discuss potential litigation and potential sale of a Town owned easement. Attending the

December 4, 2012 – Regular Meeting - Continued

Executive Session was Supervisor Roberts and Town Councilpersons Chryssos, Corcoran, Burdick and Gabrielson. Also attending were Town Planner Jeff Osterman and Town Attorney Joel Sachs. At the outset of the meeting, Town Attorney Sachs was appointed Acting Deputy Town Clerk.

During the Executive Session, there was a discussion regarding the possible sale of a Town easement located on property owned by Joan Zafian at 73 Haines Road, Bedford Hills, New York. After discussion, Mr. Osterman was requested to speak to the property owner and present a proposal to the property owner insofar as the Town easement was concerned.

There followed a discussion about threatened litigation from a Town resident whose vehicle had been hit by a snow plow. At the conclusion of the discussion, Town Attorney Sachs was requested to write a letter to the Town resident explaining the Town's legal position.

There being no further business, the Executive Session was adjourned at approximately 9:30 p.m.

Respectfully submitted,

Joel H. Sachs
Town Attorney and Acting Deputy Town
Clerk